



# LABOR AND EMPLOYMENT LAW SECTION

THE STATE BAR OF CALIFORNIA

## **LABOR AND EMPLOYMENT LAW SECTION** **STATE BAR OF CALIFORNIA**

### **2005 COMPETITION**

**For Outstanding Student Papers in the Area of Labor and Employment**

The Labor and Employment Law Section of the State Bar of California is pleased to announce its 2005 Competition for Outstanding Student Papers in the Area of Labor and Employment law.

#### **PRIZES**

##### **FIRST PRIZE:**

\$3,000, an all-expense paid trip from any California location for the student winner to attend the Section's Annual Fall Meeting, and a 1-year free student membership in the Labor and Employment Law Section. The first prize paper will be published in the California Labor and Employment Law Review, the Section's journal, which is circulated to labor and employment lawyers statewide.

##### **SECOND PRIZE:**

\$2,000 and a 1-year free student membership in the Labor and Employment Law Section.

##### **HONORABLE MENTION:**

\$1,000 and a 1-year free student membership in the Labor & Employment Law Section.

All eligible law students who enter the writing competition will receive a one-year free student membership in the Labor and Employment Law Section. Membership includes a subscription to the California Labor and Employment Law Review as well as a searchable CD-ROM containing past issues of the Review.

#### **CONTEST RULES**

TOPICS: PLEASE SELECT ONE FROM BELOW

1. California's updated Megan's Law (Cal. Pen. Code § 290.46) requires the California Department of Justice to require the Department of Justice, on or before July 1, 2005, to make specified information about certain sex offenders available to the public via the Internet Web site and to update that information on an ongoing basis. A person is authorized to use information disclosed only to protect a person at risk. Among other things, use of that information for purposes relating to employment is prohibited. What is your advice to employers, employees and job applicants on their rights and responsibilities in light of Megan's Law? Would Megan's Law impact employment inquiries under the California Financial Information Privacy Act (Cal. Fin. Code §§ 4050-4059), the Fair Credit Reporting Act (15 U.S.C. §§ 1681 et seq.), and the Fair Employment and Housing Act (Cal. Gov't Code § 12900 et seq.)?

2. The December 2004 Report of the California Performance Review, "Government for the People for a Change," contains recommendations to reform California's state government, including the creation of a new Department of Labor and Economic Development as well as the elimination and/or reorganization of various boards and commissions (e.g., Department of Fair Employment and Housing, Fair Employment and Housing Commission, Industrial Welfare Commission, Public Employment Relations Board and the Agricultural Labor Relations Board.) If implemented, how would the reorganization impact the existing enforcement of labor and employment laws in California?

3. In *Jackson v. Birmingham Board of Education*, No 02-1672, 2005 U.S. LEXIS 2928 (U.S. March 29, 2005), the United States Supreme Court held Title IX of the 1972 Education Amendments protects whistleblowers who accuse academic institutions of sex discrimination, ruling that coaches and teachers may sue for retaliation if they are fired for complaining on behalf of others. How might this decision impact the rights of school employees under California law (see, e.g., Cal. Ed. Code §§ 200 et seq., 66250 et seq.; Cal. Gov't Code, § 12900 et seq.)? What amendments, if any, should be made to existing state law?

## ELIGIBILITY

To be eligible for consideration, the paper must be written solely by a student enrolled in a California law school at the time he or she writes the paper.

## SUBMISSION

Submit five (5) copies of the paper to: Edward Bernard, Section Coordinator, Labor and Employment Law Section, The State Bar of California, 180 Howard Street, San Francisco, California 94105. Papers must be postmarked on or before July 1, 2005. Please include a cover letter verifying your law school enrollment and authorizing the Section to publish your paper in the California Labor and Employment Law Review if it is declared the winner. Please follow the citation style of *The Blue Book: A Uniform System of Citation*. Papers should be no longer than 2,500 words.

## JUDGING

The papers will be judged on the quality of legal research, writing and analysis. The decision of the judges is final. Papers must be of publishable quality, and the Section reserves the right not to award any prizes, if, in the sole opinion of the judges, none of the papers is of publishable quality or meet the standards set forth above.

For information about the Labor and Employment Law Section see: <http://www.calbar.ca.gov/laborlaw>